

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

C.A. NO. 04-11807

2005 FEB 11 P 1:44  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

AT&T WIRELESS SERVICES OF  
MASSACHUSETTS, INC., d/b/a AT&T WIRELESS,  
and EASTERN TOWERS, LLC,

Plaintiffs

v.

TOWN OF WAYLAND, MASSACHUSETTS,  
BOARD OF APPEALS OF THE TOWN OF  
WAYLAND and JAMES E. GRUMBACH, ERIC B.  
GOLDBERG, STEVEN FUGARAZZO, LAWRENCE  
K. GLICK, SUSAN KOFFMAN, SHAUNT SORIAN,  
ADIA GENNIS, LINDA SEGAL, as they are members  
and alternate members of the Board,

Defendants

DEFENDANTS' REPORT  
REGARDING RECUSAL

Defendants, in accordance with the Order of the Court dated January 27, 2005, hereby report that they do not believe that recusal is required under 28 U.S.C. §455(a) or §455(b). In any event, under 28 U.S.C. §455(e), to the extent that there may be ground for disqualification under §455(a), based upon the Court's disclosure, the Defendants waive any ground for disqualification.

DEFENDANTS,

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the  
above document was served upon the  
attorney of record for each other party  
by mail-hand on February 10, 2005



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